

CHAPTER 252  
FORMERLY  
HOUSE BILL NO. 306  
AS AMENDED BY  
HOUSE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 1447A, Title 11 of the Delaware Code as follows:

§ 1447A. Possession of a firearm during the commission of a felony; class B felony.

(f) Every person charged under this section over the age of 16 years who, following an evidentiary hearing where the Superior Court finds proof positive or presumption great that the accused used, displayed, or discharged a firearm during the commission of Title 11 or a Title 31 violent felony as set forth in Section 4201 (c) of Title 11, shall be tried as an adult, notwithstanding any contrary provisions or statutes governing the Family Court or any other state law. The provisions of this section notwithstanding, the Attorney General may elect to proceed in Family Court.

Approved May 24, 2018